



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/920,545

08/01/2001

Robert G. Farris

EFTD-25,791

5943

25883 7590 06/26/2007
HOWISON & ARNOTT, L.L.P.
P.O. BOX 741715
DALLAS, TX 75374-1715

EXAMINER

DAVIS, ZACHARY A

ART UNIT

PAPER NUMBER

2137

MAIL DATE

DELIVERY MODE

06/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/920,545	FARRIS ET AL.	
	Examiner	Art Unit	
	Zachary A. Davis	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In response to the Notice of Abandonment mailed 03 March 2006 subsequent to the non-final Office action mailed 07 March 2005, a reply and petition to revive the present application under 37 CFR 1.137(b) were received on 18 December 2006. The petition was granted as of 13 April 2007 and the reply is therefore entitled to consideration.

2. By the above reply, no claims have been amended, added, or canceled. Claims 1-10 are currently pending in the present application.

Response to Arguments

3. Applicant's arguments filed 18 December 2006 have been fully considered but they are not persuasive.

Regarding the rejection of Claims 1, 2, and 4-10 under 35 U.S.C. 102(e) as anticipated by Bilger et al, US Patent 6317835, and the rejection of Claim 3 under 35 U.S.C. 103(a) as unpatentable over Bilger in view of Finley et al, US Patent 6442448, and specifically in reference to independent Claim 1, Applicant argues that Bilger does not disclose decrypting data received in the PIN entry mode, separating data into sensitive and non-sensitive coordinate data, using the non-sensitive data to provide information to a display, and re-encrypting the sensitive data (see page 7 of the present response). However, the Examiner respectfully disagrees. The Examiner believes that

Art Unit: 2137

Bilger does disclose each of the above steps. Specifically, the Examiner contends that Bilger discloses decrypting data received in the PIN entry mode (see, for example, column 4, line 53 where the sensor signal is decoded, in addition to column 4, line 55 as previously cited); separating data into sensitive and non-sensitive coordinate data (as previously cited, column 4, lines 57-67, where the device operates as both a secure and conventional device, for example); providing information to a display using the non-sensitive coordinate data (for example, column 6, lines 3-6 and 16-21, where coordinates are returned, and column 6, lines 23-31, where the coordinates are used to provide information to a display); and re-encrypting the sensitive data (see column 6, lines 49-63, as previously cited, where the sensitive data is encrypted; see also column 4, lines 53-55, where decoded information is re-encrypted).

Therefore, for the reasons detailed above, the Examiner maintains the rejections as set forth below.

Specification

4. The Examiner thanks Applicant for correcting errors in the specification (as set forth in pages 2 and 3 of the present response). Applicant's cooperation is again requested in correcting any other errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 2, and 4-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Bilger et al, US Patent 6317835.

In reference to Claim 1, Bilger discloses a method including transferring coordinate data from a touch screen to a processor (column 6, lines 15-26), encrypting and decrypting the coordinate data (column 4, lines 53-55), separating sensitive coordinate data from non-sensitive coordinate data (column 4, lines 57-67), using the non-sensitive data to provide information to a display (see column 6, lines 3-6 and 9-31), and re-encrypting the sensitive data (column 6, lines 49-63; column 4, lines 53-55).

In reference to Claim 2, Bilger further discloses a first processor (Figure 3, Touch Controller 315) and a second processor (Figure 3, Encryption Engine and Key Storage 320), and a processor providing information to the display (see column 6, lines 3-6).

In reference to Claims 4-6, Bilger further discloses a memory storing encryption data (column 4, lines 31-35; Figure 3, Encryption Engine and Key Storage 320) that is

Art Unit: 2137

accessed by the second processor through the first processor (see column 4, lines 31-35).

In reference to Claim 7, Bilger further discloses a physical protection for the memory and processor to prevent unauthorized mechanical access (column 3, lines 43-50).

In reference to Claim 8, Bilger further discloses that the sensitive information can be a personal identification number (see column 1, lines 45-47).

In reference to Claims 9 and 10, Bilger further discloses carrying out financial transactions such as purchasing goods (column 4, lines 42-46).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bilger in view of Finley et al, US Patent 6442448.

Bilger discloses everything as applied to Claim 1 above, and Bilger further discloses encrypting the sensitive data with the second processor (column 4, lines 31-35). Bilger also discloses forwarding encrypted data to secure a transaction (column 6, lines 63-64). However, Bilger does not explicitly disclose transmitting the encrypted

Art Unit: 2137

data to a network. Finley discloses a terminal device including a secure touch screen that transmits encrypted sensitive data to a network (column 20, lines 29-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bilger to include transmission of the encrypted data to a network, in order to allow the device to connect to an external network in order to allow the device to act as a peripheral to a point of sale device (see Finley, column 20, lines 33-37).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2137

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A. Davis whose telephone number is (571) 272-3870. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ZAD
zad


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER